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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231

HENRY A. MARZULLO JR.

Dated:

Applicant hereby petitions that any and all extensions of the term necessary to render this response timely be granted. Costs for such extension(s) and or any other fee due with this paper, not fully covered by an enclosed check may be charged to Deposit Account #10-0100.

Inventor: Duarte Cano Carlos ANTONIO, et al
Serial No.: 09/612,925
Filing Date: 7/10/00
Group: 1641
Examiner:
Title: Expression System of Heterologous Antigens as Fusion Proteins
Docket No.: P-13 DIV (II)

Hon. Director of Patents and Trademarks
Washington, D.C. 20231
Attention: C. Horne, Customer Service Center

LETTER

Sir:

This paper replies to the "Missing Parts" notice dated September 11, 2000 and applicants advise the Patent Office that the "Oath or Declaration" was not missing from the filing of the above-identified patent application.

This was confirmed to the undersigned attorney on November 1, 2000 during a telephone conference call I had with Mr. Vernon Towler of the U.S.

Patent Office (703-308-1202). Mr. Towler checked the PTO's "Microfilm Records" of what was filed and confirmed that the application as filed, did indeed contain a copy of the Declaration (which was part of the original parent U.S. Patent).

Thus, the Declaration is not missing from the PTO's file records and therefore, no \$130 surcharge fee is due.

Kindly thus withdraw your "Formalities Letter dated 09/11/2000".

Respectfully submitted,

LACKENBACH SIEGEL

BY: _____

HENRY A. MARZULLO, JR.
Reg. No. 20,910

Dated: 11/6/00
Once Chase Road
Scarsdale, New York 10583
914-723-4300

P-13Div(II)\amend

ENCLOSED IS
COPY OF YOUR
9-11-00 letter (Part 2)

[Signature]
11-6-00



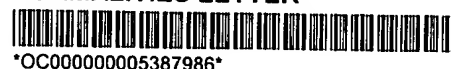
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/612,925	07/10/2000	Carlos Antonio Durate Cano et al.	P-13 Div II

Henry A Marzullo Jr
Lackebach Siegel
One Chase Road
Scarsdale, NY 10583

FORMALITIES LETTER



OC000000005387986

Date Mailed: 09/11/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Colonne

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE